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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,607	06/23/2003	Kinya Aota	503.35255V10	9592
20457	7590 03/23/2005		EXAM	INER
	LI, TERRY, STOUT	STONER, KIE	LEY SHAWN	
1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			ART UNIT	PAPER NUMBER
			1725	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner Kiley Stoner 1725	.S. Patent and Trademark Office PTOL-326 (Rev. 1-04)	Office Action Summary	Part of Paper No./Mail Date 20050316			
## Examiner Art Unit Riley Stoner Art	 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (Information Disclosure Statement(s) (PTO-1449 of Paper No(s)/Mail Date 6-23-03. 	PTO-948) Pap r PTO/SB/08) 5)	per No(s)/Mail Date tice of Informal Patent Application (PTO-152)			
Examiner Examiner	application from the Internation * See the attached detailed Office action	onal Bureau (PCT Rule 17.2(a)).			
Examiner Kiley Stoner - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (8) MONTHS from the mailing date of this communication If the pend for reply is specified above, the insultinum shallory period will apply and will expire S (9) MONTHS from the mailing date of this communication If the pend for reply is specified above, the insultinum shallory period will apply and will expire S (9) MONTHS from the mailing date of this communication If the pend for reply is specified above, the mailing date of this communication is provided with expire S (9) MONTHS from the mailing date of this communication If the pend for reply is specified above, the mailing date of this communication, even if timely filed, may reduce any seared patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filled on 23 June 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1 and 2 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) 1.2 is/are rejected. 7) Claim(s) is/are allowed. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) belief in abovance. See 37 CFR 1.35(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attach	•		• •			
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Examiner Kiley Stoner St	<u> </u>	ior foreign priority under 35 U.	3.0. 8 1 13(a)-(u) oi (i).			
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Application No. Applicant(s)						

Application/Control Number: 10/600,607

Art Unit: 1725

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant is claiming:

"at said abutted portion, arranging a third member at an outer side beyond said first member and an outer face of said second member, and carrying out a friction stir welding to said abutted portion using a rotary tool which is inserted in said third member and said abutted portion from said third member".

And

"overlapping a third member to an end portion of said first member at said abutted portion and an end portion of said second member, and carrying out friction stir welding at said abutted portion using a rotary tool which is inserted in said third member and said abutted portion".

In the instant application, the only mention of the "third member" is in the abstract, which states "The panels 31, 32 each have two substantially parallel plates 33, 34 and a third member 35 connecting the two plates 33, 34". Thus, the subject matter in the claims is not described in the specification. This subject matter is also not found in the parent application 08/820,231 including the originally filed claims. If the applicant

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attempts to put these limitations in the instant application, the examiner will have to make a new matter rejection unless the applicant is able to convince the examiner that the claimed subject matter has been previously disclosed.

Conclusion

The prior art of record that is cited as of interest is presented on the form-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiley Stoner whose telephone number is (571) 272-1183. The examiner can normally be reached on Monday-Thursday (7:30 a.m. to 6:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on Monday-Friday at (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KILEY S. STONER
PRIMARY EXAMINED

101-105